

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/072,707
Applicant : Alain Houle et al.
Confirmation No. : 1909
Filed : February 5, 2002
TC/A.U. : 2613
Examiner : Kim, David S.
Customer No. : 27896
Docket No. : 0370.0723C (formerly CISC730)
Title : Integration of WDM Channels with Disparate Bit Rates

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Renewed Petition for Revival Under 37 C.F.R. §1.137(b)

Sir:

The undersigned hereby petitions for reconsideration of the Decision dated March 24, 2009 for the Petition for Revival filed March 6, 2009. A Petition for Extension of Time requesting one additional month within which to file this renewed petition is submitted herewith together with the requisite fee.

Submitted herewith are an executed Declaration of the practitioner that handled prosecution for this application when this application unintentionally went abandoned, and an executed statement of an in-house attorney on behalf of the assignee, Cisco Technology, Inc. ("Cisco").

The Declaration is that of Mr. Gary Aka, the practitioner who was handling this application at the time it unintentionally went abandoned. This Declaration is submitted to set forth the relevant facts surrounding the abandonment and to establish that the delay in filing a reply to the Office Action outstanding in this application at the time prior to its abandonment was unintentional.

The statement is that of Mr. Richard Butler, Director of Intellectual Property for Cisco at the time that Cisco discovered that this application had gone abandoned. This statement is

submitted to set forth the relevant facts to establish that the delay in filing a petition to revive this application was unintentional. In particular, this statement establishes the date on which Cisco discovered that this application had gone abandoned and also explains the unintentional delay in discovering its abandoned status despite Cisco's exercise of due care.

On the basis of the documents submitted herewith, reconsideration is requested and revival of the above-identified application is respectfully solicited.

Applicant hereby petitions for any extension of time that may be necessary to maintain the pendency of this application. The Commissioner is hereby authorized to charge payment of any additional fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

Dated: June 1, 2009

Respectfully submitted by:

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